

FILED
HARRISBURG, PA

DEC 28 2017

Deputy Clerk

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT

Per

for the

Middle District of Pennsylvania

Middle District of Pennsylvania

Civil Division

Civil Division

Case No.

June K. Taylor

(to be filled in by the Clerk's Office)

Case No.

1:17-cv-2407

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Pennsylvania Higher Education Assistance
Agency/AES;

Brett W. Schreyer; Earl Hoch; Andrew J. Petsu, Esq.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No**COMPLAINT FOR EMPLOYMENT DISCRIMINATION****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

June K. Taylor	Name	June K. Taylor
3308 North 4th Street	Street Address	3308 North 4th Street
Harrisburg, Dauphin County	City and County	Harrisburg, Dauphin County
17101	State and Zip Code	17101
717-233-2366	Telephone Number	717-233-2366
june11june11@outlook.com	E-mail Address	june11june11@outlook.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Pennsylvania Higher Education Assistance Agency/AES
Name
Job or Title (if known)
 1200 North Seventh Street
Street Address
 Harrisburg, Dauphin County
City and County
 17101
State and Zip Code
 (717) 720-5441
Telephone Number
E-mail Address (if known)

Pennsylvania Higher Education Assistance Agency/AES

1200 North Seventh Street
 Harrisburg, Dauphin County
 17101
 (717) 720-5441

Defendant No. 2

Brett W. Schreyer
Name
 Sr. Human Resources Business Partner
Job or Title (if known)
 1200 North Seventh Street
Street Address
 Harrisburg, Dauphin County
City and County
 17101
State and Zip Code
 (717) 720-3901
Telephone Number
E-mail Address (if known)

Brett W. Schreyer
 Sr. Human Resources Business Partner, PHEAA/AES
 1200 North Seventh Street
 Harrisburg, Dauphin County
 17101
 (717) 720-3901

Defendant No. 3

Earl Hoch
Name
 Department Supervisor, PHEAA/AES
Job or Title (if known)
 1200 North Seventh Street
Street Address
 Harrisburg, Dauphin County
City and County
 17101
State and Zip Code
 (717) 720-3901
Telephone Number
E-mail Address (if known)

Earl Hoch
 Department Supervisor, PHEAA/AES
 1200 North Seventh Street
 Harrisburg, Dauphin County
 17101
 (717) 720-3901

Defendant No. 4

Andrew J. Petsu, Esq.
Name
 Assistant Counsel, PHEAA/AES
Job or Title (if known)
 1200 North Seventh Street
Street Address
 Harrisburg, Dauphin County
City and County
 17101
State and Zip Code
 (717) 720-3901
Telephone Number
E-mail Address (if known)

Andrew J. Petsu, Esq.
 Assistant Counsel, PHEAA/AES
 1200 North Seventh Street
 Harrisburg, Dauphin County
 17101
 (717) 720-3901

C. Place of Employment

employment or was employed by The address at which I sought employment or was employed by the defendant(s) is

PHEAA/AES	Name	PHEAA/AES
1200 North Seventh Street	Street Address	1200 North Seventh Street
Harrisburg, Dauphin County	City and County	Harrisburg, Dauphin County
17101	State and Zip Code	17101
(717) 720-6441	Telephone Number	(717) 720-5441

II. Basis for Jurisdiction

employment pursuant to This action is brought for discrimination in employment pursuant to (check all that apply):

Act of 1964, as codified, ☐ 42 U.S.C. Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

et in federal district court under Title VII. (Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

employment Act of 1967, ☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634. (Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

Act of 1990, as codified, ☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117. (Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

a federal law): ☒ Other federal law (specify the federal law):

Relevant state law (specify, if known): ☒

Relevant city or county law (specify, if known): ☐

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes (check all that apply):

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | Failure to hire me. |
| <input checked="" type="checkbox"/> | Termination of my employment. |
| <input type="checkbox"/> | Failure to promote me. |
| <input checked="" type="checkbox"/> | Failure to accommodate my disability. |
| <input checked="" type="checkbox"/> | Unequal terms and conditions of my employment. |
| <input checked="" type="checkbox"/> | Retaliation. |
| <input type="checkbox"/> | Other acts (specify): |

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s) September 3, 2015 through December 8, 2016

C. I believe that defendant(s) (check one):

<input checked="" type="checkbox"/>	is/are still committing these acts against me.
<input type="checkbox"/>	is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

<input type="checkbox"/>	race	
<input type="checkbox"/>	color	
<input type="checkbox"/>	gender/sex	
<input type="checkbox"/>	religion	
<input type="checkbox"/>	national origin	
<input checked="" type="checkbox"/>	age (year of birth) <u>1956</u> (only when asserting a claim of age discrimination.)	
<input checked="" type="checkbox"/>	disability or perceived disability (specify disability) <u>High blood pressure and diabetes</u>	

E. The facts of my case are as follows. Attach additional pages if needed:

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discrimination against the defendant, June Taylor, file this complaint for discrimination against the defendants based upon the manner in which I was targeted as an older, and disabled employee of PHEAA/AES, where I had been employed for 18.5 years. After several years of receiving accolades, such as "Employee of the Month", and knowledge, I was placed on a very high level account (The Chase Bank Account) in which management's attempts to accommodate Chase led to increased pressure by PHEAA and Chase, which led to significant health issues, including very high blood pressure and diabetes. After receiving an FMLA accommodation, I applied for an ADA accommodation because the extreme pressure of the work environment caused me uncontrollable diabetes and high blood pressure.

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

January 1, 2017

The Equal Employment Opportunity Commission (check one): ☐ has not issued a Notice of Right to Sue letter. ☒ issued a Notice of Right to Sue letter, which I received on (date) 09/29/2017. (Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

Only litigants alleging age discrimination must answer this question: Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☒ 60 days or more have elapsed. ☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

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Relief Sought:

1. Back Pay that will bring my final salary to the level of a twenty year (20) year employee;
2. Reinstatement of my full medical benefits as a retiree, for which I would have been eligible had PHEAA/AES not terminated my employment without providing the accommodation I sought, which would have permitted the opportunity for me to remain at PHEAA/AES for twenty years.
3. Adjustment of my status to "Retired, with twenty years of employment" with PHEAA/AES, to be reflected with the PA State Employee Retirement System, and reflected in my retirement distribution, and in my Social Security benefits;
4. Other relief which the Court deems appropriate and just, given the pain and humiliation I have suffered.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/26/2017

Signature of Plaintiff

Printed Name of Plaintiff

June K. Taylor

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Section III, E, additional information

This additional information, attached, the Charge of Discrimination filed by me, June K. Taylor, with the Pennsylvania Human Relations Commission, is provided as a supplement to my Complaint for Employment Discrimination filed with this complaint in Federal District Court for the Middle District of Pennsylvania, as: June K. Taylor -v- The Pennsylvania Higher Education Assistance Agency/AES; Andrew J. Brett, W. Schreyer; Earl Hoch; Andrew J. Petsu, Esq.

EEOC Form 5 (11/09)

Charge CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 530-2016-04154	
Pennsylvania Human Relations Commission <small>State or local Agency, if any</small>		Pennsylvania Human Relations Commission and EEOC <small>State or local Agency, if any</small>	
Name (Indicate Mr., Ms., Mrs.) (Incl. Area Code) Ms. June K. Taylor	Date of Birth 1956	Home Phone (Incl. Area Code) (717) 232-2366	Date of Birth 1956
Street Address 3308 North 4th Street, Harrisburg, PA 17110		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY	No. Employees, Members 500 or More	Phone No. (Include Area Code) (717) 720-5441	
Street Address 1200 North 7th Street, Harrisburg, PA 17101		City, State and ZIP Code	
DISCRIMINATION BASED ON: (Check appropriate box(es))		DATE(S) DISCRIMINATION TOOK PLACE	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) _____		Earliest: 11-01-2015 Latest: 12-08-2016 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p> I was employed by Respondent as a Customer Service Representative from July 1, 1997 until my discharge. I have disabilities of which Respondent is aware. Since February 2016, I requested a reasonable accommodation for my disabilities. The most recent reasonable accommodation request was made on December 1, 2016. On December 8, 2016, Respondent discharged me. </p> <p> Respondent stated that the reason for my termination was my work performance. </p> <p> I believe that I have been subjected to discrimination because of my age in violation of the Age Discrimination in Employment Act of 1967, as amended, in that younger, similarly-situated employees had the same performance issues as me, but they did not get disciplined or discharged. I further allege that I have been subjected to discrimination because of my disabilities, and my protected activity, in violation of the Americans with Disabilities Act of 1990, as amended. </p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. SIGNATURE OF COMPLAINANT _____		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT _____	
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) _____ Date _____ Charging Party Signature _____		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) _____	

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

AND NOTICE OF RIGHTS

DISMISSAL AND NOTICE OF RIGHTS

To: **June K. Taylor**
 3308 North 4th Street
 Harrisburg, PA 17110
 Philadelphia, PA 19107

From: **Philadelphia District Office**
 801 Market Street
 Suite 1300
 Philadelphia, PA 19107

Identity is

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

(b)(6)

EEOC Charge No.

EEOC Representative

Telephone No.

530-2016-04154

Legal Unit

(215) 440-2828

FOR THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐ Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.

☒ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

NOTICE OF SUIT RIGHTS

(See the additional information attached to this form.)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

On behalf of the Commission

Enclosures(s)

Kevin J. Berry, Acting District Director

KB
 Kevin J. Berry,
 Acting District Director

09/29/2017
 (Date Mailed)

cc:

Andrew J. Petsu, Jr.
 AES/PHEAA
 LEGAL & COMPLIANCE SERVICES
 1200 N. 7th Street
 Harrisburg, PA 17102